



GOVERNOR'S OFFICE OF
BUDGET AND PROGRAM PLANNING

Fiscal Note 2017 Biennium

Bill #	SB0355	Title:	Revise brownfield site clean up eligibility laws
Primary Sponsor:	Ankney, Duane	Status:	As Introduced

- | | | |
|--|---|--|
| <input checked="" type="checkbox"/> Significant Local Gov Impact | <input type="checkbox"/> Needs to be included in HB 2 | <input checked="" type="checkbox"/> Technical Concerns |
| <input type="checkbox"/> Included in the Executive Budget | <input checked="" type="checkbox"/> Significant Long-Term Impacts | <input type="checkbox"/> Dedicated Revenue Form Attached |

FISCAL SUMMARY

	<u>FY 2016 Difference</u>	<u>FY 2017 Difference</u>	<u>FY 2018 Difference</u>	<u>FY 2019 Difference</u>
Expenditures:				
General Fund	\$0	\$0	\$0	\$0
Revenue:				
General Fund	\$0	\$0	\$0	\$0
Net Impact-General Fund Balance:	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

Description of fiscal impact: SB 355 has no impact to the state.

FISCAL ANALYSIS

Assumptions:

- SB 355 will not have a fiscal impact to DEQ because the program already reviews and works closely with grant recipients on eligibility determinations and coordination of brownfields sites.
- A clean up funded through the brownfields fund may not be reimbursed through the Petroleum Tank Release Compensation Board (PTRCB). PTRCB oversees reimbursement and the board is administratively attached to DEQ. PTRCB provides financial resources to meet financial assurance requirements and funding for clean-up of petroleum storage tank facilities.

Effect on County or Other Local Revenues or Expenditures:

- Potential loss of federal brownfields funding to grant recipients across the state (approximately \$5,000,000) because the proposed bill would provide for use of funds at sites that do not meet eligibility criteria.

Long-Term Impacts:

- Potential loss of federal brownfields funding to grant recipients across the state (approximately \$5,000,000) because the proposed bill would allow for use of funds at sites that do not meet eligibility criteria.

Technical Notes:

1. Brownfields monies are granted to the state subject to conditions imposed by federal law and EPA guidelines. The following criteria in SB 355 are not consistent with federal requirements: definition of “viable party”; definition of “reasonable steps”; eligibility of owners of active gas stations.
2. Section 4(2) provides that DEQ may not limit the use of petroleum tank release compensation funds. Under current law, use of those funds is controlled by the Petroleum Tank Release Compensation Board, not DEQ. SB 355 would not change that.

Sponsor's Initials

Date

Budget Director's Initials

Date